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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 AARON WALKER, an individual;
12 YOLONDA WALKER, an individual,
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14 Plaintiffs,
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16 vs.
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18 SPECIALIZED LOAN SERVICING,
19 LLC, a Delaware limited liability
20 company; DEUTSCHE BANK
21 NATIONAL TRUST COMPANY, as
22 TRUSTEE ON BEHALF OF THE
23 HOLDERS OF THE TERWIN
24 MORTGAGE TRUST 2006-9HGA,
ASSET-BACKED CERTIFICATES,
TMTS SERIES 2006-9HGA, an entity of
unknown form; AXIS MORTGAGE &
INVESTMENT, an entity of unknown
form; AXIS MORTGAGE &
INVESTMENTS, LLC, an Arizona
limited liability company; BILTMORE
BANK OF ARIZONA, a banking
institution; CHASE HOME FINANCE
LLC, a Delaware limited liability
company; REGIONAL TRUSTEE
SERVICES CORPORATION, a
Washington corporation; and DOES 1-10,
inclusive,

25 Defendants.
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CASE NO. 08-CV-1411 H (NLS)
**ORDER DENYING AS MOOT
PLAINTIFF'S REQUEST FOR
PRELIMINARY INJUNCTION**

27 On August 4, 2008, plaintiffs Aaron Walker and Yolonda Walker ("Plaintiffs") filed
28 a complaint alleging violations of federal law, including the Truth in Lending Act, 15 U.S.C.

1 § 1601 et seq., and California law including the Rosenthal Act, Cal. Civ. Code §§ 1788 et seq.
2 Plaintiff has filed an ex parte application for a temporary restraining order (“TRO”) enjoining
3 Defendants from proceeding with a foreclosure sale of Plaintiffs’ property. On August 4,
4 2008, the Court denied without prejudice Plaintiff’s ex parte motion for a TRO. (Doc. No. 5.)
5 The Court directed Plaintiff to serve defendants with the complaint and all other documents
6 filed by Plaintiff, and the Court ordered briefing regarding Plaintiff’s request for a preliminary
7 injunction. (Id.)

8 On August 15, 2008, Plaintiffs filed a notice of withdrawal of Plaintiffs’ application for
9 a preliminary injunction. (Doc. No. 6.) Plaintiffs’ filing indicates that the trustee’s sale of the
10 property at issue had been cancelled.

11 In light of Plaintiffs’ filing, the Court denies as moot Plaintiffs’ motion for a
12 preliminary injunction. (Doc. No. 3.)

13 IT IS SO ORDERED.

14 DATED: August 18, 2008

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16 MARILYN L. HUFF, District Judge
17 UNITED STATES DISTRICT COURT
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